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Attorney for Plaintiff

5 **UNITED STATES DISTRICT COURT**

6 **DISTRICT OF NEVADA**

7 BRADLEY STERNFELS, ) 2:25-cv-00112-JAD-BNW  
8 Plaintiff, )  
9 vs. )  
10 UNITED OF OMAHA LIFE INSURANCE )  
11 COMPANY; a foreign corporation; )  
DOES I through X, inclusive, )  
ROE CORPORATIONS 1-10, inclusive, )  
12 Defendants. )  
13

14 **STIPULATION TO FILE THIRD AMENDED COMPLAINT AND RELATED**  
15 **RELIEF**

16 IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiff,  
17 BRADLEY STERNFELS, by and through his undersigned counsel, KIRK T.  
18 KENNEDY, ESQ., and the Defendant, UNITED OF OMAHA LIFE INSURANCE  
19 COMPANY, by and through its undersigned counsel, NICOLE G. TRUE, ESQ., that the  
20 parties stipulate as follows:

- 21 1. The Plaintiff shall be allowed to file a third amended complaint to allege a clarified  
22 claim pursuant to the Employee Retirement Income Security Act of 1974 (ERISA). The  
23 Plaintiff previously filed a second amended complaint, ECF 9, to address his ERISA  
24 based claims, however, a further review necessitates a claim clarification with a third  
25 amended complaint to allege solely a claim for relief under 29 U.S.C. Section  
26 1132(a)(1)(b). This further amendment will assist in setting forth the full nature of  
27 Plaintiff's claim for the Court's consideration.

2. The Plaintiff's third amended complaint shall be due for filing no later than February  
1 28, 2025; and

2 3. The Defendant shall have until March 14, 2025, to file any responsive pleading to the  
3 third amended complaint.

4 This Stipulation is entered between the parties for good cause and for purposes of  
5 judicial economy to clarify the nature of Plaintiff's claim and allow the Defendant  
6 sufficient time to respond.

7 /s/Kirk T. Kennedy  
8 KIRK T. KENNEDY, ESQ.  
9 Nevada Bar No: 5032  
10 815 S. Casino Center Blvd.  
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(702) 385-5534  
Attorney for Plaintiff

12 Dated: 2/24/25

13 /s/Nicole G. True  
14 NICOLE G. TRUE, ESQ.  
15 Nevada Bar No: 12879  
16 Womble Bond Dickinson (US) LLP  
17 201 E. Washington St., Ste. 1200  
18 Phoenix, AZ 85004  
(602) 262-5311  
19 Attorney for Defendant  
United of Omaha Life Insurance Company

20 Dated: 2/24/25

21 **ORDER**

22 IT IS SO ORDERED.

23 Dated this 25 day of February, 2025.

24   
25 UNITED STATES MAGISTRATE JUDGE

26 Submitted by:

27 /s/Kirk T. Kennedy  
28 KIRK T. KENNEDY, ESQ.  
Nevada Bar No: 5032  
Attorney for Plaintiff